

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**Offered by** Commissioner DePhillips

**No. CS-MAY-2013**

**Seconded by** Commissioner DaPuzzo

**Date: May 7, 2013**

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**AUTHORIZATION TO GO INTO CLOSED SESSION  
TO DISCUSS PENDING AND POTENTIAL LITIGATION**

**WHEREAS**, the meetings of the Commissioners of the Northwest Bergen County Utilities Authority (the "Authority") are subject to the Open Public Meetings Act, N.J.S.A. 10:4-1, et seq. ("OPMA"); and

**WHEREAS**, in accordance with the OPMA, the Authority may exclude the public from that portion of any meeting in which the Commissioners discuss pending and/or anticipated litigation in which the Authority is or may become a party or any matters falling within the attorney/client privilege; and

**WHEREAS**, the Commissioners wish to review and discuss the claims made by some member municipalities to the Authority's bond reserves and other surplus monies.

**NOW, THEREFORE, BE IT RESOLVED** that the Commissioners of the Northwest Bergen County Utilities Authority go into closed session to discuss pending and/or anticipated litigation over the matters set forth above; and be it

**FURTHER RESOLVED**, that the matters to be discussed in closed session may be disclosed to the public at a time in the future when these issues have been resolved and such disclosure will not harm the Authority.

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**Offered by** Commissioner DePhillips

**No. CS-MAY-2013**

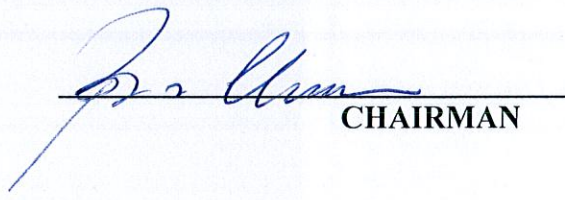
**Seconded by** Commissioner DaPuzzo


**Date: May 7, 2013**

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**AUTHORIZATION TO GO INTO CLOSED SESSION  
TO DISCUSS PENDING AND POTENTIAL LITIGATION**

**IT IS HEREBY CERTIFIED** that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all Commissioners of the Authority eligible to vote at a regular meeting held on May 7, 2013.

  
\_\_\_\_\_  
**CHAIRMAN**

  
\_\_\_\_\_  
**SECRETARY**

**Roll Call:** AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Kasparian, Plumley, Salazer, Chewcaskie  
NAYES: None  
ABSENT: Commissioners Gabbert, Kelaher

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

Offered by Commissioner DaPuzzo

Seconded by Commissioner Dachnowicz                      Date      May 7, 2013

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**CONSENT RESOLUTION**

**RESOLVED,**

**BE IT RESOLVED, that the following Consent Resolution herewith listed having been considered by the Commissioners of this Authority be and are hereby passed and approved.**

- 32-2013.      Approval of vouchers, payroll and tax deposits.**
- 33-2013.      Certification of Audit.**
- 34-2013.      Acceptance of Audit.**
- 35-2013.      Authorization to enter into interlocal services agreement re use of sewer jetting truck.**
- 36-2013.      Proposed sewer connection, Brandywine Senior Living at Mahwah.**
- 37-2013.      Appointment of IT Technical Advisor – Andrew Agugliaro.**

**Roll Call:**    **AYES:** Commissioners Dachnowicz, DaPuzzo, DePhillips, Kasparian, Plumley, Salazer  
                  **NAYES:** None  
                  **ABSENT:** Commissioners Gabbert, Kelaher, Chewcaskie (left before vote was taken).

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

Offered by      Commissioner DaPuzzo

No.    32-2013.

Seconded by    Commissioner Dachnowicz

Date May 7, 2013

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**APPROVAL OF VOUCHERS, PAYROLL TRANSFERS, PAYROLL TAX DEPOSITS  
AND PENSIONS & BENEFITS TRANSFERS**

**RESOLVED,**

WHEREAS, the Northwest Bergen County Utilities Authority has received vouchers in claim for payment of materials supplied and/or rendered; and

WHEREAS, the said vouchers have been reviewed and the amount indicated on each voucher has been determined to be due and owing; and

WHEREAS, the Northwest Bergen County Utilities Authority has made payroll transfers, payroll tax deposits and Pension & Benefits transfers for the month of Apr. 2013 and Health and Dental Benefits transfers for May 2013; and

WHEREAS, the Commissioners of the Authority have reviewed the vouchers, payroll transfers, payroll tax deposits, Pension and Benefits, and Health and Dental Benefits transfers listing on the attached reports and have found them to be in order.

**NOW, THEREFORE, BE IT**

**RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that all vouchers, payroll transfers, payroll tax deposits, Pension & Benefits and Health and Dental Benefits transfers listed and reports attached hereto, dated May 7, 2013 be and they hereby are approved for payment from the proper accounts as follows:**

<b>ACCOUNT:</b>	<b>PAYROLL ACCOUNT</b>
<b>NET PAYROLL:</b>	<b>\$284,102.34</b>

<b>ACCOUNT:</b>	<b>TAX DEPOSIT ACCOUNT</b>
<b>TOTAL:</b>	<b>\$132,248.12</b>

<b>ACCOUNT:</b>	<b>PERS AND CONTRIBUTORY INSURANCE</b>
<b>TOTAL TRANSFER:</b>	<b>\$ 28,303.18</b>

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY  
RESOLUTION**

Offered by: Commissioner DaPuzzo

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Seconded by: Commissioner Dachnowicz

Date: May 7, 2013

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ACCOUNT: HEALTH BENEFITS CONTRIBUTION EMPLOYER  
TOTAL TRANSFER: \$96,764.81

ACCOUNT: HEALTH BENEFITS CONTRIBUTION EMPLOYEE  
TOTAL: \$ 2,435.66

ACCOUNT: DENTAL BENEFITS  
TOTAL TRANSFER: \$ 4,393.89

ACCOUNT: DCRP - EMPLOYEE - APRIL  
TOTAL TRANSFER: \$ 45.84

ACCOUNT: DCRP - EMPLOYER - APRIL  
TOTAL TRANSFER: \$ 25.00

ACCOUNT: OPERATING ACCOUNT  
TOTAL: \$443,916.10

ACCOUNT: GENERAL IMPROVEMENT ACCOUNT  
TOTAL: \$ 1,275.00

ACCOUNT: 2009A PROJECT ACCOUNT  
TOTAL: \$ 14,206.35

ACCOUNT: 2010 PROJECT ACCOUNT  
TOTAL: \$ 1,243.00

ACCOUNT: 2012 WWT PROJECT ACCOUNT  
TOTAL: \$ 54,184.12

  
\_\_\_\_\_  
SECRETARY

  
\_\_\_\_\_  
CHAIRMAN

**Roll Call:** AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Kasparian, Plumley, Salazer  
NAYES: None  
ABSENT: Commissioners Gabbert, Kelaher, Chewcaskie (left  
before vote was taken)

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**OFFERED BY** Commissioner DaPuzzo

**No. 33-2013**

**SECONDED BY** Commissioner Dachnowicz

**DATE** May 7, 2013

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**CERTIFICATION OF AUDIT**

**RESOLVED,**

The Commissioners of the Northwest Bergen County Utilities Authority reviewed, discussed and considered the Resolution entitled:

**RESOLUTION CERTIFYING TO THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY THAT EACH COMMISSIONER HAS PERSONALLY REVIEWED THE ANNUAL AUDIT REPORT FOR THE FISCAL YEAR ENDED DECEMBER 2012 AND SPECIFICALLY HAS REVIEWED THE SECTION OF THE AUDIT REPORT ENTITLED "GENERAL COMMENTS" AND "RECOMMENDATIONS" AND HAS EVIDENCED SAME BY GROUP AFFIDAVIT IN THE FORM PRESCRIBED BY THE LOCAL FINANCE BOARD.**

  
\_\_\_\_\_  
**CHAIRMAN**

  
\_\_\_\_\_  
**SECRETARY**

**Roll Call:** AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips, Kasparian, Plumley, Salazer  
NAYES: None  
ABSENT: Commissioners Gabbert, Kelaher, Chewcaskie (left before vote was taken)

## RESOLUTION

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended December 2012 has been completed and filed with the NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each Authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "general Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A 40A:5A-17,

NOW, THEREFORE BE IT RESOLVED, that the governing body of the NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended DECEMBER 2012 and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

IT IS HEREBY CERTIFIED THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON May 7, 2013.

  
SECRETARY

May 7, 2013  
DATE

**LOCAL AUTHORITIES**  
**GROUP AFFIDAVIT FORM**


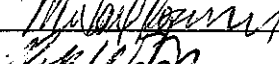
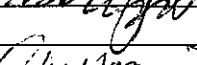
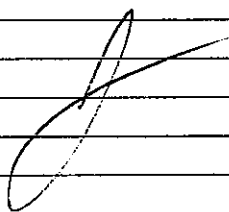

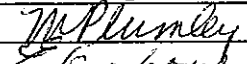
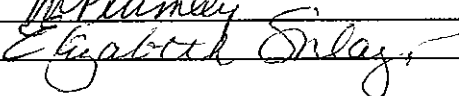
**PRESCRIBED BY**  
**THE NEW JERSEY LOCAL FINANCE BOARD**

**AUDIT REVIEW CERTIFICATE**

We the members of the governing body of the NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY, being of full age and being duly sworn according to law, upon our oath depose and say:

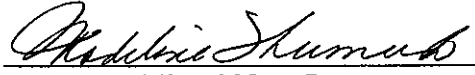
1. We are duly appointed members of the NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY .

2. We certify, pursuant to N.J.S.A. 40A:5A-17, that we have each reviewed the annual audit report for the fiscal year ended December 2012 , and specifically the sections of the audit report entitled "General Comments" and "Recommendations."

PRINT	SIGNATURES
Brian Chewcaskie	
Michael Kasparian	
Peter Dachnowicz	
John DaPuzzo	
Christopher DePhillips	
Kenneth Gabbert	ABSENT
Frank Kelaher	ABSENT
Marion Plumley	
Elizabeth Salazer	

Sworn to and subscribed before me

this 7<sup>st</sup> day of May 2013

  
Notary Public of New Jersey

Madeline M. Thumudo  
Notary Public  
New Jersey  
My Commission Expires 3-27-16

IMPORTANT: Signatures must be original. Photocopies not accepted.



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

**RESOLUTION**

**Offered by:** Commissioner DaPuzzo

**No. 34-2013**

**Seconded by:** Commissioner Dachnowicz

**Date: May 7, 2013**

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**ACCEPT AUDIT**

**RESOLVED,**

**WHEREAS, Lerch, Vinci & Higgins, LLP, has prepared and submitted the Annual Audit Report of the Northwest Bergen County Utilities Authority for the year ending December 31, 2012; and**

**WHEREAS, the Commissioners of the Northwest Bergen County Utilities Authority have reviewed the Audit Report and have found it to be in order; and**

**WHEREAS, the Commissioners find that it is in the best interest of the Northwest Bergen County Utilities Authority to accept the Audit Report as submitted.**

**NOW, THEREFORE, BE IT**

**RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that the Audit Report for the year ending December 31, 2012 prepared by Lerch, Vinci & Higgins, LLP, be and the same hereby is accepted as submitted and that the Secretary of the Authority be and she hereby is authorized to distribute same on behalf of the Authority; and be it**

**FURTHER RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority that the Secretary of the Authority is hereby directed to publish the synopsis and recommendations of this audit, as prepared by Lerch, Vinci & Higgins, LLP, within thirty (30) days from receipt as required by law.**

  
**SECRETARY**

  
**CHAIRMAN**

**Roll Call: AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips, Kasparian, Plumley, Salazer**

**NAYES: None**

**ABSENT: Commissioners Gabbert, Kelaheer, Chewcaskie (left before vote was taken.)**

**NORTHWEST BEGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No.35-2013**

**Seconded by** Commissioner Dachnowicz

**Date: May 7, 2013**

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**AUTHORIZATION TO ENTER INTO INTERLOCAL SERVICES AGREEMENTS RE  
SANITARY SEWER JETTING**

**WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8a-1 et seq., permits, authorizes and encourages public bodies such as counties, municipalities and school districts to enter into agreements with each other for the provision of any service which the parties to such agreement are empowered to render under and within their own jurisdiction, whether administrative or local; and**

**WHEREAS, the Northwest Bergen County Utilities Authority (“Authority”) has determined that it is necessary to enter into interlocal services agreements with the County of Bergen, municipalities and school districts, for the utilization and optimization of savings for the provision of sanitary sewer jetting; and**

**WHEREAS, the State of New Jersey authorizes the aforesaid entities to enter into agreements for the joint provision of services which agreements are authorized pursuant to N.J.S.A. 40:8A-1 et seq.; and**

**WHEREAS, it appears in the best interest of the Authority and its member municipalities to authorize and approve provision of the aforesaid service.**

**NOW, THEREFORE, BE IT**

**RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority that the Authority does hereby authorize the execution Of Interlocal Services Contracts in connection with the use of the Sanitary Sewer Jetting;**

**BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon adoption.**

**BE IT FURTHER RESOLVED**, that in furtherance of the Sanitary Sewer Jetting Program, the Executive Director of the Authority is hereby authorized and empowered to enter into such agreements consistent with this Resolution.

**IT IS HEREBY CERTIFIED** that this is a true copy of a Resolution adopted by The Northwest Bergen County Utilities Authority upon a roll call vote of all Commissioners of the Authority eligible to vote at a regular meeting held on May 7, 2013.

  
**CHAIRMAN**

  
**SECRETARY**

**Roll Call:** AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips, Kasparian, Plumley, Salazer  
NAYES: None  
ABSENT: Commissioners Gabbert, Kelaheer, Chewcaskie (left before vote was taken)

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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RESOLUTION

Offered by Commissioner DaPuzzo

No. 36-2013

Seconded by Commissioner Dachnowicz

Date: May 7, 2013

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**PROPOSED SANITARY SEWER EXTENSION – TOWNSHIP OF MAHWAH  
814 WYCKOFF AVENUE,  
LOT 120.06 BLOCK 173 & LOT 6 BLOCK 179  
TOWNSHIP OF MAHWAH**

RESOLVED,

WHEREAS, an application has been made to the Northwest Bergen County Utilities Authority (hereinafter sometimes referred to as the "Authority"), by the Township of Mahwah on behalf of Janine Williams, et al, (hereinafter referred to as the "Applicant") for approval of one proposed sanitary sewer connection/extension to serve a proposed 96 unit/107 bed senior living facility. This proposed connection/extension will connect to the existing sanitary sewer located in Edison Road. The extension will involve constructing approximately 83 linear feet of 6 inch PVC sewer lateral and appurtenances; and

WHEREAS, the Authority technical advisor has reviewed the application and the documents and drawings submitted in support thereof and, by memorandum dated May 6, 2013, has recommended that the Authority approve the Project, subject to fulfillment of certain terms and conditions, finding that when completed, the Project will contribute an average daily flow of 10,700 gallons per day (gpd) from which fifty-three (53) additional non-residential EDUs will become tributary to the Authority's system from the Township of Mahwah; and

WHEREAS, Authority counsel has reviewed the submissions and recommends that the Authority approve the Project, subject to fulfillment of certain terms and conditions by the Applicant;

## NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

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### RESOLUTION

Offered by Commissioner DaPuzzo

No. 36-2013

Seconded by Commissioner Dachnowicz

Date: May 7, 2013

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NOW, THEREFORE, BE IT

RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority, that the application of Janine Williams, et al by the Township of Mahwah for approval of the proposed sanitary sewer extension to be located in the Township of Mahwah, New Jersey, be approved upon condition that the Applicant, its principals, agents, successors or assigns fulfill the following terms and conditions:

- 1) the construction shall conform to all applicable requirements of the Township of Mahwah;
- 2) that installation of the sewers and appurtenances be inspected and approved by the Township of Mahwah;
- 3) that all newly constructed sewers be tested for infiltration and exfiltration and that such testing be observed and the results approved by an Authority engineer who has been provided with 2 days' notice of such testing;
- 4) that the Applicant pay for engineering expenses incurred by the Authority for all inspection and testing of the sewers and appurtenances;
- 5) that the Applicant pay for all Authority application fees, legal fees and other application, administrative, technical, or any other expenses relating to review of the Project;
- 6) that any manholes constructed or modified by reason of this Project be fitted with sewer guards to prevent inflow. All manholes constructed must be installed with all required waterproofing measures, including exterior painting and pipe gasket interlock;
- 7) that water-conserving plumbing fixtures be installed in all new building construction to be serviced by the Project;



**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

RESOLUTION

Offered by Commissioner DaPuzzo

No. 36-2013

Seconded by Commissioner Dachnowicz


Date: May 7, 2013

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- 8) that the Authority be notified by the Applicant or its designee prior to commencement of sanitary sewer installation;
- 9) that prior to placing this connection into service, the Applicant must submit to the Authority for approval NJDEP Form WQM-005; and
- 10) that the Applicant comply with the rules and regulations of the Authority and the New Jersey Department of Environmental Protection; and be it

FURTHER RESOLVED, that upon written assurance of fulfillment by the Applicant of the foregoing terms and conditions, the Authority Superintendent be and is herewith authorized on behalf of the Authority to execute such approvals of the Project as may be required by governmental agencies having jurisdiction there over.

  
SECRETARY

  
CHAIRMAN

Roll Call: AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips,  
Kasparian, Plumley, Salazer  
NAYES: None  
ABSENT: Commissioners Gabbert, Kelaher, Chewcaskie (left  
before vote was taken)

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY**

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**RESOLUTION**

**Offered by** Commissioner DaPuzzo

**No. 37-2013.**

**Seconded by** Commissioner Dachnowicz

**Date: May 7, 2013**

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**APPOINTMENT OF IT TECHNICAL ADVISOR – ANDREW AGUGLIARO**

**WHEREAS, there presently exists a need for an IT Technical Advisor; and**

**WHEREAS, N.J.S.A. 40:14B-1 provides, inter alia, that the Authority may “appoint and employ, such other agents and employees as it may require and determine their duties and compensation. “and**

**WHEREAS, the IT Technical Advisor shall be responsible for assisting the Electrical Supervisor in his job in conducting the day-to-day activities associated with the Authority’s Instrumentation, Meter Maintenance and Electrical Systems; and**

**WHEREAS, the IT Technical Advisor will also perform supervisory and management duties as assigned by Authority Management; and**

**WHEREAS, the IT Technical Advisor shall report to the Electrical Supervisor of the Authority; and**

**WHEREAS, the Authority has determined that Mr. Agugliaro is competent, qualified and experienced to perform this job and therefore desires to offer the position of IT Technical Advisor to Mr. Agugliaro; and**

**WHEREAS, the Authority has determined on the basis of the foregoing to transfer Mr. Agugliaro from O&M Helper to IT Technical Advisor at an annual salary of Sixty-nine Thousand Dollars (\$69,000.00) effective May 13, 2013; and**

**WHEREAS, the Commissioners concur with the recommendations made and believe it to be in the best interest of the Authority and municipalities served by it;**

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

Offered by Commissioner DaPuzzo

No.37-2013

Pg.2

Seconded by Commissioner Dachnowicz

Date: May 7, 2013

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APPOINTMENT OF IT TECHNICAL ADVISOR - ANDREW AGUGLIARO

NOW, THEREFORE, BE IT

**RESOLVED**, by the Commissioners of the Northwest Bergen County Utilities Authority that Andrew Agugliaro be transferred from O&M Helper To IT Technical Advisor effective May 13, 2013 at an annual salary of Sixty-Nine Thousand Dollars subject to a ninety (90) day probationary period.

  
STEPHANIE HOWARD  
SECRETARY

  
CHAIRMAN

**Roll Call:** AYES: Commissioners Dachnowicz, DaPuzzo, DePhillips, Kasparian, Plumley, Salazer  
NAYES: None  
ABSENT: Commissioners Gabbert, Kelaher, Chewcaskie (left before vote was taken)